

**ORDINANCE AMENDING SECTIONS 285-49 OF CHAPTER 285  
OF THE CITY CODE ENTITLED ZONING TO PROVIDE FOR THE REZONING OF  
OAKWOOD AVENUE FROM R-1 SINGLE-FAMILY TO P PLANNED  
DEVELOPMENT ZONING DISTRICT CLASSIFICATION**

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BE IT ENACTED, by the City Council of the City of Troy, as follows:

**Section 1.** This Ordinance shall affect the area of the City of Troy commonly known and referred to as 171 Oakwood Avenue, tax parcel 90.56-2-3 as depicted on the City of Troy Official Zoning Map, a relevant portion of which is attached to this Ordinance, with such area currently zoned as an R – 1 Single-Family Residential District.

**Section 2.** The above described area as shown of the City of Troy Official Zoning Map shall have its zoning district classification changed from R-1 Single-Family Residential District to a P Planned Development District.

**Section 3.** The City Council shall cause to be delineated on the Zoning Map of the City of Troy, New York, dated October 7, 1988, this ordinance as an amendment thereto, together with all notations, references and other information on file in the City Clerk's Office.

**Section 4.** This ordinance shall take effect immediately upon filing with the Secretary of State.

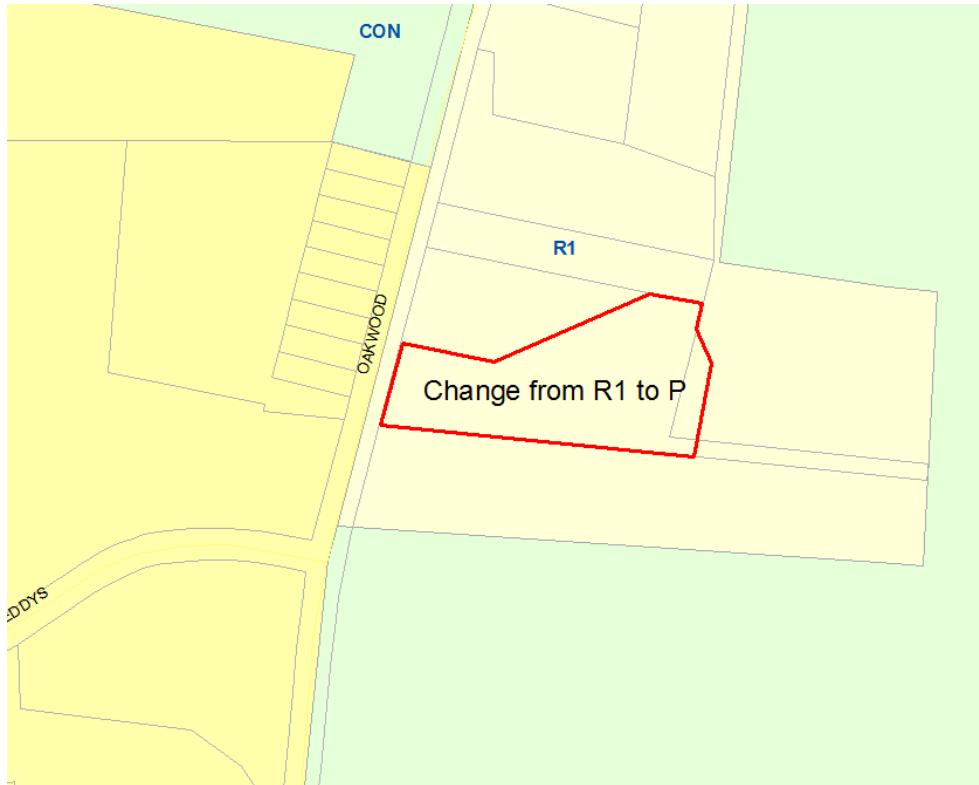
Approved As to Form, August 2, 2018

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James Caruso, Esq., Corporation Counsel

ATTACHMENT

Red Outline to change from R-1 to P



**Steven Strichman  
Commissioner**



**Patrick Madden  
Mayor**

**Department of Planning and  
Economic Development**

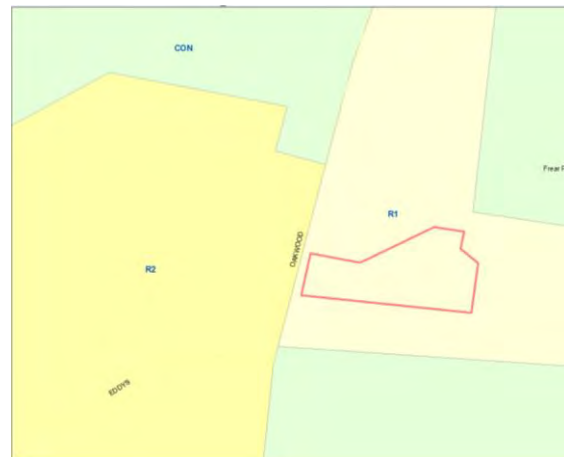
To: City Council  
Re: Zoning Change – Oakwood Avenue  
From: Steven Strichman, Commissioner of Planning and E.D.

June 15, 2018

The Planning Commission reviewed this application on May 10, 2018 to change the zoning of 171 Oakwood Avenue (Tax Map ID: 90.56-2-3) (as modified to swap land with the city per attachment) from R-1 Single Family, to Planned Residential. Parcel outlined in red



Aerial view

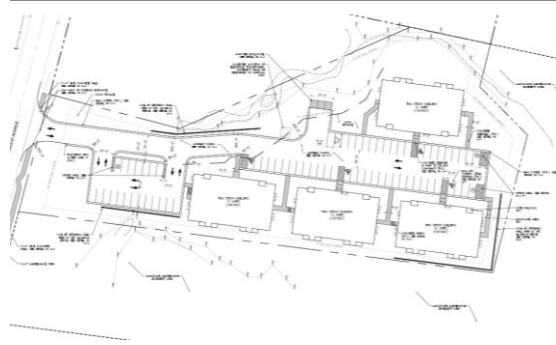


Zoning

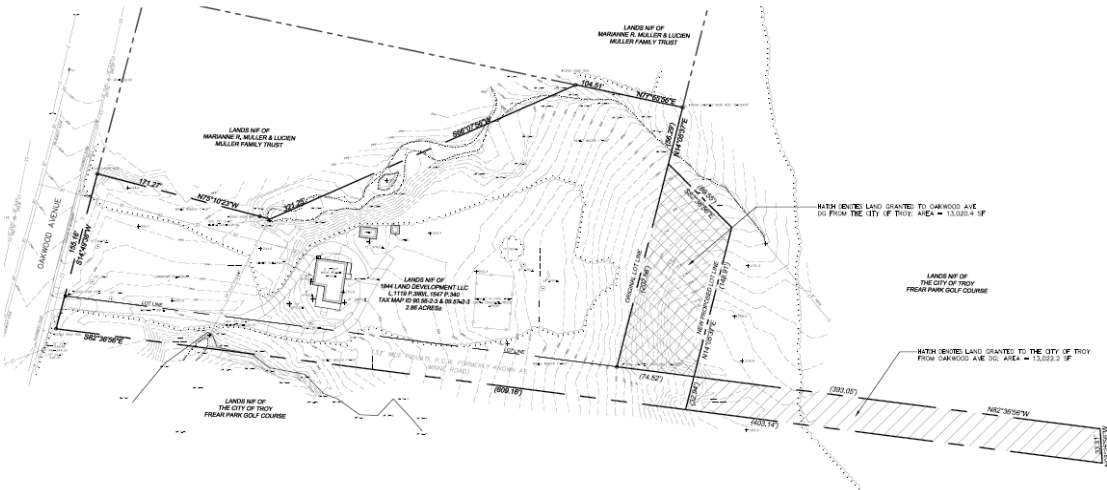
Originally planned as a Townhouse development, the developer changed his plans to develop apartments instead because of financing issues. A Zoning Board hearing in March resulted in a 3-2 vote in favor, but since there is a 4 vote requirement to pass a variance, the action failed. This zone change will allow for the project to move forward.

The applicant filed an article 78 on that zoning action to reserve his standing should this request fail.

The full Planning Commission Application is included as an attachment, but a few visuals are included here for brevity:



I am requesting that there be a review of this request at a committee meeting in June. If approved by the Committee, it would then proceed to the Council for a Call for a Public Hearing to be held in July for this zoning change.



*Law Offices of Ian H. Silverman, Esq.*  
*5 Billings Avenue*  
*Troy, New York 12180*  
*(518)-727-6743*  
*June 1, 2018*

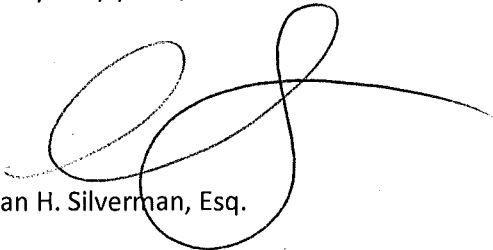
Frank C. Pavia, Esq.  
99 Garnsey Road  
Pittsford, NY 14534

RE: 1844 Land Development LLC v. City of Troy

Dear Mr. Pavia:

I represent 1844 Land Development LLC in the above referenced matter. As you are aware on or about April 25, 2018 1844 Land Development LLC commenced an Article 78 against the City of Troy Zoning Board of Appeals and the City of Troy. Currently we await the City's response to our motion papers. It is my understanding that there have been some discussions between my client and city officials with regards to implementing a zoning change through legislation that would render the current litigation moot. It is my further understanding that Mr. Steven Strichman, the Commissioner of Planning and Economic Development has requested from my client a letter that should the City support and ultimately pass a zoning change related to the subject property, then my client would discontinue the litigation. Please consider this letter a formal acknowledgement that should the City approve a zoning change related to the disputed parcel and my client receive all necessary planning approval, then we would certainly discontinue any litigation. Should you have any questions, please feel free to contact me.

Very truly yours,



Ian H. Silverman, Esq.